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Ponte Equities, Inc.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:	:	CASE NO 23-18286-RG
	:	
FRANCIS ANTHONY ASTARITA,	:	CHAPTER 13
	:	
Debtor.	:	OPPOSITION TO PLAN
	:	
	:	
	:	

Judgment Creditor Ponte Equities, Inc., by and through counsel, Waters, McPherson, McNeill, P.C., hereby objects to Confirmation of the Debtor's Chapter 13 Plan upon one or more of the following grounds:

1. Failure to Propose a Feasible Plan – The Judgment Credit has two judgment liens against the Debtor docketed with the Superior Court of New Jersey in the amounts of: (a) \$158,110.98, docketed on January 21, 2005, DJ-020385-2005, and (b) \$88,293.50, docketed April 15, 2005, DJ-096241-2005. Debtor's Plan proposes payment of \$500.00 per month and allocates no portion of that amount toward satisfying the judgment liens. Instead, Debtor moves to avoid

the liens pursuant to 11 U.S.C.A. § 522(f). Debtor's order of distribution makes no allowance for payment toward his debt to the judgment Creditor.

2. Failure to Provide for Full Satisfaction of All Amounts Claimed in Judgment Creditor's Soon-to-Be Filed Proof of Claim (POC) – Judgment Creditor intends to file a POC for the total debt of \$246,404.48. Debtor proposes paying \$500.00 per month for 60 months, with no distribution to the Judgment Creditor. The Plan is not feasible as it makes no provision for addressing the debt to the Judgment Creditor.

3. The Judgment Creditor further objects to the proposed Plan for failure to conform to applicable provisions of the United States Bankruptcy Code.

Respectfully submitted,

WATERS, McPHERSON, McNEILL, P.C.
Attorneys for Judgment Creditor
Ponte Equities, Inc.

By:


Eric D. McCullough

Dated: December 13, 2023